

PATENT  
Attorney Docket No. 01-4008  
Application Serial No. 10/090,522

### REMARKS

Claims 1-22 are pending in this application, with claims 1, 6, 11, 14, 17 and 20 being independent. Claims 11, 12, 14, 17, 18, 20 and 21 have been amended. Favorable reconsideration and allowance are respectfully requested.

Claims 11, 17 and 20 were objected to under 35. U.S.C. § 112, for using the phraseology "an caller/agent." Dependent claims 12-13, 18-19 and 21-22 were rejected for the same reason. In response, Applicants have amended all claims which use that term to replace "caller/agent" with "agent-caller." This new term agrees with the article "an" and in fact is the term used in the specification. See, e.g., page 12, line 19. Applicants respectfully submit that these amendments obviate the Section 112 objection, and respectfully request the Examiner to remove it.

Claims 1-22 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent No. 6,714,642 (Dhir). This rejection is respectfully traversed.

As recited in independent claim 1, the present invention relates to a method for assessing a call center. The method includes the steps of developing a coding sheet summarizing aspects of a call to a call center, to selecting the coding sheet, analyzing the coding sheet, determining areas of the IVR system that can be improved, and generating an analysis report suggesting ways to improve those areas. Independent claim 6 is also directed to a method for accessing a call center, and includes all of those steps.

Dhir relates to systems and methods for call decisioning. Significantly, Dhir is concerned with routing strategies (i.e., where to send a call) and handling strategies (i.e., how the agent who receives the call should handle it). Speaking generally, in Dhir, a central server

PATENT  
Attorney Docket No. 01-4008  
Application Serial No. 10/090,522

receives information regarding a call and develops a routing control signal, which routes the call to one of a plurality of agent sites. The central server pre-routes the call to a voice response unit in order to collect some information regarding the call to develop the routing and handling strategy.

As can be seen readily, however, Dhir, is not at all directed to or concerned with call center assessment, and therefore is missing many of the salient aspects of the pending claims. For example, and as conceded by the Office Action, Dhir fails completely to teach or suggest generating an analysis report, itemizing areas of the IVR system that can be improved and suggesting ways to improve these areas. (See Office Action at page 4, top). In addition, Dhir fails completely to teach or suggest the predicate feature of determining areas of the IVR system that can be improved.

The Office Action takes the position that this latter feature is shown in Dhir at Column 8, lines 56-81, specifically contending that the determination of areas of the IVR system that can be improved "could be done at call center administrative system 304, which can modify operating parameters when needed" (Office Action at page 3, bottom). Applicants respectfully submit that that cannot possibly be the case.

The relevant passage of Dhir reads as follows:

Call center administration system 304 may comprise a computer workstation or the like for administration of each call site center system. This system may be used to monitor activity at the call site center system, modify operating parameters, compile and print activity reports and perform other administrative functions.

PATENT  
Attorney Docket No. 01-4008  
Application Serial No. 10/090,522

Col. 8: 56-64. Applicants respectfully point out that there is a fundamental difference between simply providing the capability to modify system operating parameters on the one hand, and actually determining areas of a system that can be improved, and then suggesting ways to improve them, on the other.

More specifically, in the present invention as recited in claims 1 and 6, a tabulated coding sheet of calls to the call center is analyzed, to determine areas of the IVR system that can be improved. And in the next step, a report is generated that itemizes those areas, and suggests ways of improvement. Example of such ways of improvement could include, without limitation: re-wording, re-phrasing or re-ordering of system prompts, re-wording, rephrasing or re-ordering of system prompts, enforcing certain call center policies, re-engineering additional customer input or improving the speech recognition technology. Other ways, of course, exist as well.

Dhir, on the other hand, provides no mechanism whatsoever for identifying areas that can be improved, or suggesting ways of improvement. Instead, and in stark contrast, Dhir simply makes reference to a very generalized system block (which Dhir vaguely says "may comprise a computer workstation") that purports to have the capability of being used to modify operating parameters. At best, this is teaching of a tool which may be used to implement improvements. It is certainly not, and in fact falls far short of, a teaching of identifying areas that can be improved and suggesting ways of improvement. Absent these teachings, Dhir cannot possibly render independent claims 1 or 6 obvious.

PATENT  
Attorney Docket No. 01-4008  
Application Serial No. 10/090,522.

Independent claim 11 relates to a method of assessing an automated call routing system's performance. Independent claim 14 relates to an apparatus operable to assess an automated call routing system's performance. Independent claim 17 relates to a system for assessing an automated call routing system's performance. And independent claim 20 relates to a computer program product embodying code for implementing a method for assessing an automated call routing system's performance. All of these claims recite features along the lines of those discussed above, namely of determining areas that can be improved and suggesting ways of improvement. Those claims, therefore, are patentable for the same reasons.

The remaining claims all depend from one of the independent claims discussed above, and each partakes in the novelty and non-obviousness of its respective base claim. In addition, each recites additional patentable features of the present invention, and individual reconsideration of each is respectfully requested.

PATENT  
Attorney Docket No. 01-4008  
Application Serial No. 10/090,522

**CONCLUSION**

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and passage to issue of the present application.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 07-2347. If an extension of time under 37 C.F.R. § 1.136 not accounted for above is required, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted.

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